

Office of the Legal Defender

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IN THE SUPREME COURT OF THE STATE OF ARIZONA

PETITION TO AMEND RULE 17.4,
ARIZONA RULES OF CRIMINAL
PROCEDURE

WITHDRAWAL OF RULE CHANGE
PETITION

NO. R-18-0038

Comes now the Petitioner and hereby withdraws the Petition to Amend Rule 17.4, Arizona Rules of Criminal Procedure.

Upon vetting with the capital defense bar, it is clear that the rule has too many potential unintended consequences which could affect the constitutional rights of capital defendants. And, although there have been many criticisms of the proposal, no alternative solutions have been proposed.

It is unfortunate that the parties cannot sit down and talk about capital cases. It is equally unfortunate that no one can envision a mechanism that will satisfy all the parties.

Accordingly, the Petition to Amend Rule 17.4 is withdrawn.

Dated this 17th day of April, 2019 .

MARTY LIEBERMAN
Office of the Legal Defender

By /s/
Marty Lieberman
Legal Defender

Original of the foregoing
e-filed this 17th day of
April, 2018.

By /s/